IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.2635-M of 2007
Date of Decision:- 23.02.2007

Des Raj ....Petitioner(s)

through
Mr.Deepinder Brar, Advocate
with Mr.N.S.Sidhu, Advocate.

vs.

State of Punjab ....Respondent(s)

through
Mr.B.S.Baath, AAG, Punjab.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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SURYA KANT, J.

The prayer in this petition is to release the petitioner on regular bail in case F.I.R.No.46 dated 27.3.2005 registered under Section 420 IPC at Police Station Sirhali, District Amritsar.

As per the allegations, the petitioner introduced the complainant to one Sakattar Singh, who promised that he will send the complainant abroad. It is alleged that on account of the said inducement, the complainant had paid a sum of Rs.2,55,000/- to said Sakattar Singh.

The petitioner, however, evaded his arrest and as a result of which he was declared a proclaimed offender. The petitioner could only be arrested on 7.7.2006 after persistent efforts and is in custody since then.

It is, however, not disputed by Mr.Baath, learned Assistant Advocate General, Punjab, on instructions from Additional S.H.O. Balwinder Singh, that upon investigation, the allegations against Sakattar Singh have not been substantiated. The only allegation against the petitioner is that he had introduced the complainant to Sakattar Singh.

Investigation is already complete and a supplementary challan

has also been presented against the petitioner. Conclusion of trial will take a considerably long period.

After hearing learned counsel for the parties and without expressing any views on the merits of the case, lest it should prejudice either of the parties, this petition is allowed and the petitioner is directed to be released on bail to the satisfaction of the Chief Judicial Magistrate, Amritsar.

However, while releasing the petitioner on bail, the learned Chief Judicial Magistrate, Amritsar, shall ensure that the petitioner shall be asked to furnish sufficient bail bonds with two sureties in the like amount so that the petitioner, having regard to his past conduct, does not misuse the concession of bail.

February 23, 2007 **(SURYA KANT)**
poonam **JUDGE**